

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

SHARISTA GILES,)	
)	
Plaintiff,)	
)	No. 3:12-CV-645
)	(VARLAN/SHIRLEY)
V.)	
)	
HOMETOWN FOLKS, LLC, and JEFF BELAER,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636 and the Rules of this Court.

Defendant Jeff Bealer has filed a Motion for Protective Order [Doc. 10], moving the Court to stay this case pending completion of a criminal trial related to the allegations presented in the Complaint. The Complaint [Doc. 1] was filed December 13, 2013, and it alleges that from August 2011 until January 2012, Defendant Bealer sexually harassed the Plaintiff. Defendant Bealer states that he is currently under indictment in Monroe County, Tennessee, and he submits that “the indictment and the incidents alleged in the Plaintiff’s current Complaint arise out of the same alleged facts and/or conduct.” [Doc. 10 at 2]. Defendant Bealer moves the Court to stay this case for up to one year to allow for disposition of the criminal charges related to this case, or in the alternative, he suggests that the case be stayed pending completion of the criminal trial in the Tenth Judicial District (Monroe County).

Defendant Bealer submits that his counsel has contacted Attorney Patrick Looper, counsel for the Plaintiff, and Attorney John Bode, counsel for Defendant Hometown Folks, LLC, and Mr. Looper and Mr. Bode have advised that they do not oppose a limited stay of the instant case. [Id. at 4]. Moreover, the Court finds that none of the parties have responded in opposition to the request for a stay, and the time for doing so has expired. See E.D. Tenn. L.R. 7.1. The Court may treat the failure to respond as further acquiescence to the relief sought. See E.D. Tenn. L.R. 7.2.

Based upon the foregoing and the procedural posture of this case, the Court finds that Defendant Bealer has demonstrated good cause for staying this case. Thus, for good cause shown, the Motion for Protective Order is **GRANTED** as follows:

1. This case is hereby **STAYED**;
2. The Clerk of Court is **ORDERED** to reopen this case on **April 15, 2014**; and
3. The parties are **ORDERED** to appear before the undersigned in Courtroom 3B of the Howard Baker, Jr., Federal Courthouse, at **9:30 a.m. on October 18, 2013**, and **9:30 a.m. on April 9, 2014**, to provide the Court an update on the status of this case and the criminal proceedings in the Tenth Judicial District.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge